

(1) a detailed assessment of military ties between Iran and China or the Russian Federation since the expiration of United Nations Security Resolution 2231 in October 2020, including in the form of joint drills, weapons transfers, military visits, illicit procurement activities, and other sources of Chinese or Russian material support for Iranian military capabilities, to include a detailed description of any arms purchases and the total value of each such purchase;

(2) a detailed assessment of the direct or indirect impact that the suspension, issuance, or revocation of any waiver, license, or suspension of economic sanctions on Iran may have on the use or effectiveness of such tools; and

(3) a description of any actions taken pursuant to Executive Order No. 13949, dated September 21, 2020 (relating to blocking property of certain persons with respect to the conventional arms activities of Iran).

(b) **FORM.**—The report required under subsection (a) shall be submitted in unclassified form but may contain a classified annex.

SA 4751. Mr. MARSHALL submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle C of title XII, add the following:

SEC. 1224. REPORT ON IRANIAN DEFENSE BUDGET.

(a) **IN GENERAL.**—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the Committees on Armed Services of the House of Representatives and the Senate a report that includes a detailed assessment of the size of Iran's defense budget expressed in United States dollars, disaggregated by expenditures related to the Islamic Revolutionary Guard Corps, the Quds Force, the Artesh, and the Basij.

(b) **FORM.**—The report required under subsection (a) shall be submitted in unclassified form but may contain a classified annex.

SA 4752. Mr. BARRASSO submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____. **STRATEGY, MARKET SURVEY, AND QUALIFICATION ACTIVITIES FOR PROCUREMENT OF ACCESSORIES FOR THE NEXT GENERATION SQUAD WEAPON OF THE ARMY.**

(a) **STRATEGY REQUIRED.**—The Secretary of the Army shall develop and implement a strategy to identify, test, qualify, and procure, on a competitive basis, accessories for the next generation squad weapon of the Army, including magazines and other compo-

nents that could affect the performance of the weapon.

(b) MARKET SURVEY AND QUALIFICATION ACTIVITIES.—

(1) **INITIAL MARKET SURVEY.**—Not later than one year after the date on which a decision is made to enter into full-rate production for the next generation squad weapon, the Secretary of the Army shall conduct a market survey to identify accessories for the weapon, including magazines and other components that could affect the performance of the weapon.

(2) **QUALIFICATION ACTIVITIES.**—After completing the market survey under paragraph (1), the Secretary of the Army shall compete, select, procure, and conduct tests of accessories described in that paragraph to qualify those accessories for purchase and use. A decision to qualify an accessory described in paragraph (1) shall be based on established technical standards for operational safety and weapon effectiveness.

(c) **INFORMATION TO CONGRESS.**—Not later than 180 days after the date of the enactment of this Act, the Secretary of the Army shall provide to the congressional defense committees a briefing or a report on—

(1) the strategy developed and implemented by the Secretary under subsection (a); and

(2) the results of the market survey and qualification activities under subsection (b).

SA 4753. Mr. THUNE submitted an amendment intended to be proposed by him to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in title X, insert the following:

SEC. ____. **DEVELOPMENT AND TESTING OF DYNAMIC SCHEDULING AND MANAGEMENT OF SPECIAL ACTIVITY AIRSPACE.**

(a) **SENSE OF CONGRESS ON SPECIAL ACTIVITY AIRSPACE SCHEDULING AND MANAGEMENT.**—It is the sense of Congress that—

(1) where it does not conflict with safety, dynamic scheduling and management of special activity airspace (also referred to as “dynamic airspace”) is expected to optimize the use of the national airspace system for all stakeholders; and

(2) the Administrator of the Federal Aviation Administration and the Secretary of Defense should take such actions as may be necessary to support ongoing efforts to develop dynamic scheduling and management of special activity airspace, including—

(A) the continuation of formal partnerships between the Federal Aviation Administration and the Department of Defense that focus on special activity airspace, future airspace needs, and joint solutions; and

(B) maturing research within their federally funded research and development centers, Federal partner agencies, and the aviation community.

(b) **PILOT PROGRAM.**—

(1) **PILOT PROGRAM REQUIRED.**—Not later than 90 days after the date of the enactment of this Act, the Administrator of the Federal Aviation Administration, in coordination with the Secretary of Defense, shall establish a pilot program on developing and testing dynamic management of special activity airspace in order to accommodate emerging military training requirements through flexible scheduling, along with increasing ac-

cess to special activity airspace used by the Department of Defense for test and training.

(2) **TESTING OF SPECIAL ACTIVITY AIRSPACE SCHEDULING AND MANAGEMENT.**—Under the pilot program established under paragraph (1), the Administrator and the Secretary shall jointly test not fewer than three areas of episodic or permanent special activity airspace designated by the Federal Aviation Administration for use by the Department of Defense, of which—

(A) at least one shall be over coastal waters of the United States;

(B) at least two shall be over land of the United States;

(C) access to airspace available for test and training is increased to accommodate dynamic scheduling of airspace to more efficiently and realistically provide test and training capabilities to Department of Defense aircrews; and

(D) any increase in access to airspace made available for test and training shall not conflict with the safe management of the national airspace system or the safety of all stakeholders of the national airspace system.

(c) **REPORT BY THE ADMINISTRATOR.**—

(1) **IN GENERAL.**—Not less than two years after the date of the establishment of the pilot program under subsection (b)(1), the Administrator shall submit to the appropriate committees of Congress a report on the interim findings of the Administrator with respect to the pilot program.

(2) **ELEMENTS.**—The report submitted under paragraph (1) shall include the following:

(A) An analysis of how the pilot program established under subsection (b)(1) affected access to special activity airspace by non-military users of the national airspace system.

(B) An analysis of whether the dynamic management of special activity airspace conducted for the pilot program established under subsection (b)(1) contributed to more efficient use of the national airspace system by all stakeholders.

(d) **REPORT BY THE SECRETARY.**—Not less than two years after the date of the establishment of the pilot program under subsection (b)(1), the Secretary shall submit to the appropriate committees of Congress a report on the interim findings of the Secretary with respect to the pilot program. Such report shall include an analysis of how the pilot program affected military test and training.

(e) **DEFINITIONS.**—In this section:

(1) The term “appropriate committees of Congress” means—

(A) the Committee on Commerce, Science, and Transportation and the Committee on Armed Services of the Senate; and

(B) the Committee on Transportation and Infrastructure, the Committee on Science, Space, and Technology, and the Committee on Armed Services of the House of Representatives.

(2) The term “special activity airspace” means the following airspace with defined dimensions within the National Airspace System wherein limitations may be imposed upon aircraft operations:

(A) Restricted areas.

(B) Military operations areas.

(C) Air Traffic Control assigned airspace.

(D) Warning areas.

SA 4754. Ms. BALDWIN submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and

for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle G of title X, add the following:

SEC. 1064. COMMON CARRIER OBLIGATIONS.

(a) IN GENERAL.—Section 11101(a) of title 49, United States Code, is amended by inserting “, to the extent necessary for the efficient and reliable transportation based on the shipper’s reasonable service requirements,” after “the transportation or service”.

(b) RULEMAKING.—

(1) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the Surface Transportation Board shall initiate a rulemaking to provide standards or guidance to implement the amendment made under subsection (a).

(2) METRICS AND MINIMUM STANDARDS.—The rule promulgated pursuant to paragraph (1) shall include metrics and minimum standards for measuring the performance and service quality of rail carriers operating as common carriers under section 11101 of title 49, United States Code.

(3) CONSIDERATIONS.—In developing the metrics and minimum standards referred to in paragraph (2), the Board shall consider—

(A) all of the requirements for operating as a common carrier under section 11101 of title 49, United States Code, including the requirements described in sections 11101(a) and 10702(2) of such title;

(B) the impacts of reductions in service and employment levels on the provision of reasonable service;

(C) whether reductions in the availability of equipment, the maintenance of equipment, and infrastructure are disproportionate to any changes in demand for service; and

(D) whether surcharges or conditions are imposed as requirements for service when the rail carrier could profitably provide service under competitive rates.

(4) MULTI-FACTOR COMPLIANCE TEST.—

(A) DEVELOPMENT.—The Surface Transportation Board shall develop a multi-factor test for determining a common carrier’s compliance with its obligations under section 11101 of title 49, United States Code.

(B) USE OF TEST.—Upon the promulgation of the final rule pursuant to this subsection, the Surface Transportation Board shall apply the test developed pursuant to subparagraph (A) in all of its informal and formal service complaint proceedings.

SA 4755. Mr. CASEY (for himself, Mr. CORNYN, and Mr. RUBIO) submitted an amendment intended to be proposed by him to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle G of title X, add the following:

SEC. 1064. NATIONAL CRITICAL CAPABILITIES REVIEWS.

(a) IN GENERAL.—The Trade Act of 1974 (19 U.S.C. 2101 et seq.) is amended by adding at the end the following:

“TITLE X—NATIONAL CRITICAL CAPABILITIES REVIEWS

“SEC. 1001. DEFINITIONS.

“In this title:

“(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term ‘appropriate congressional committees’ means—

“(A) the Committee on Finance, the Committee on Armed Services, the Committee on Banking, Housing, and Urban Affairs, the Committee on Commerce, Science, and Transportation, the Committee on Health, Education, Labor, and Pensions, and the Committee on Homeland Security and Governmental Affairs of the Senate; and

“(B) the Committee on Ways and Means, the Committee on Armed Services, the Committee on Education and Labor, the Committee on Financial Services, the Committee on Homeland Security, and the Committee on Transportation and Infrastructure of the House of Representatives.

“(2) COMMITTEE.—The term ‘Committee’ means the Committee on National Critical Capabilities established under section 1002.

“(3) CONTROL.—The term ‘control’ means the power, direct or indirect, whether exercised or not exercised, to determine, direct, or decide important matters affecting an entity, subject to regulations prescribed by the Committee.

“(4) COUNTRY OF CONCERN.—The term ‘country of concern’—

“(A) has the meaning given the term ‘foreign adversary’ in section 8(c)(2) of the Secure and Trusted Communications Networks Act of 2019 (47 U.S.C. 1607(c)(2)); and

“(B) may include a nonmarket economy country (as defined in section 771(18) of the Tariff Act of 1930 (19 U.S.C. 1677(18))) identified by the Committee for purposes of this paragraph by regulation.

“(5) COVERED TRANSACTION.—

“(A) IN GENERAL.—Except as otherwise provided, the term ‘covered transaction’ means any of the following transactions, proposed or pending on or after the date of the enactment of this title:

“(i) Any transaction by a United States business that—

“(I) shifts or relocates to a country of concern, or transfers to an entity of concern, the design, development, production, manufacture, fabrication, supply, servicing, testing, management, operation, investment, ownership, or any other essential elements involving one or more national critical capabilities identified under subparagraph (B)(ii); or

“(II) could result in an unacceptable risk to a national critical capability.

“(ii) Any other transaction, transfer, agreement, or arrangement, the structure of which is designed or intended to evade or circumvent the application of this title, subject to regulations prescribed by the Committee.

“(B) REGULATIONS.—

“(i) IN GENERAL.—The Committee shall prescribe regulations further defining the term ‘covered transaction’ in accordance with subchapter II of chapter 5, and chapter 7, of title 5, United States Code (commonly known as the ‘Administrative Procedure Act’).

“(ii) IDENTIFICATION OF NATIONAL CRITICAL CAPABILITIES.—For purposes of subparagraph (A)(i), the regulations prescribed by the Committee under clause (i) shall—

“(I) identify the national critical capabilities subject to that subparagraph based on criteria intended to limit application of that subparagraph to the subset of national critical capabilities that is likely to pose an unacceptable risk to the national security and crisis preparedness of the United States; and

“(II) enumerate, quantify, prioritize, and set forth sufficient allowances of, specific types and examples of such capabilities.

“(6) CRISIS PREPAREDNESS.—The term ‘crisis preparedness’ means preparedness for—

“(A) a public health emergency declared under section 319 of the Public Health Service Act (42 U.S.C. 247d); or

“(B) a major disaster declared under section 401 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5170).

“(7) CRITICAL INFRASTRUCTURE.—The term ‘critical infrastructure’ means systems and assets, whether physical or virtual, so vital to the United States that the incapacity or destruction of such systems and assets would have a debilitating impact on national security, national economic security, national public health or safety, or any combination of those matters.

“(8) ENTITY OF CONCERN.—The term ‘entity of concern’ means an entity—

“(A) the ultimate parent entity of which is domiciled in a country of concern; or

“(B) that is directly or indirectly controlled by, owned by, or subject to the influence of a foreign person that has a substantial nexus with a country of concern.

“(9) FOREIGN ENTITY.—

“(A) IN GENERAL.—Except as provided by subparagraph (B), the term ‘foreign entity’ means any branch, partnership, group or sub-group, association, estate, trust, corporation or division of a corporation, or organization organized under the laws of a foreign country if—

“(i) its principal place of business is outside the United States; or

“(ii) its equity securities are primarily traded on one or more foreign exchanges.

“(B) EXCEPTION.—The term ‘foreign entity’ does not include any entity described in subparagraph (A) that can demonstrate that a majority of the equity interest in such entity is ultimately owned by nationals of the United States.

“(10) FOREIGN PERSON.—The term ‘foreign person’ means—

“(A) any foreign national, foreign government, or foreign entity;

“(B) any entity over which control is exercised or exercisable by a foreign national, foreign government, or foreign entity; or

“(C) any entity over which control is exercised or exercisable by a person described in subparagraph (A) or (B).

“(11) NATIONAL CRITICAL CAPABILITIES.—The term ‘national critical capabilities’, subject to regulations prescribed by the Committee—

“(A) means systems and assets, whether physical or virtual, so vital to the United States that the inability to develop such systems and assets or the incapacity or destruction of such systems or assets would have a debilitating impact on national security or crisis preparedness; and

“(B) includes the following:

“(i) The production, in sufficient quantities, of any of the following articles:

“(I) Medical supplies, medicines, and personal protective equipment.

“(II) Articles essential to the operation, manufacture, supply, service, or maintenance of critical infrastructure.

“(III) Articles critical to infrastructure construction after a natural or manmade disaster.

“(IV) Articles that are components of systems critical to the operation of weapons systems, intelligence collection systems, or items critical to the conduct of military or intelligence operations.

“(V) Any other articles identified in regulations prescribed under section 1007.

“(ii) Supply chains for the production of articles described in clause (i).

“(iii) Essential supply chains for the Department of Defense.

“(iv) Any other supply chains identified in regulations prescribed under section 1007.

“(v) Services critical to the production of articles described in clause (i) or a supply chain described in clause (ii), (iii), or (iv).

“(vi) Medical services.